Traffic Safety Act

Commercial Vehicle General Equipment and Safety Regulations

Discussion Paper #4

January 2001

Alberta
INFRASTRUCTURE

101-03672/

Introduction

The new Traffic Safety Act received Royal Assent during the spring 1999 Session of the Legislative Assembly of Alberta. The Act awaits proclamation before coming into full effect.

The Traffic Safety Act is the amalgamation of four Acts: the Highway Traffic Act, Motor Vehicle Administration Act, Motor Transport Act and Off-Highway Vehicle Act. The new Act is a comprehensive, streamlined piece of legislation. This consolidated approach to road safety will provide a clearer source of information for traffic legislation than is currently in place.

A preliminary discussion paper on the Traffic Safety Act was released to stakeholders for comment in the fall of 1997. Another, more comprehensive, discussion paper was circulated to the public during the summer of 1998. The public was consulted extensively during the summer of 1998 prior to the introduction of the proposed legislation.

The new Traffic Safety Act was introduced during the 1998 Fall Session of the Alberta Legislature, for information purposes only. It was then revised to address comments received from the public and stakeholders, and reintroduced during the 1999 Spring Session for debate.

Several portions of the four current Acts will be converted to regulations under the new Traffic Safety Act to provide the means to more quickly address concerns. For example, rules of the road and vehicle equipment provisions will be moved into regulations to allow for more timely response to the changing needs of Albertans.

The issues in this discussion paper relate to commercial vehicle general equipment and safety. Once Alberta Infrastructure compiles all input, the draft regulations will be prepared for the government's approval. The new regulations will come into effect when the Traffic Safety Act is proclaimed.

Commercial vehicle General Equipment and Safety Regulations are an integral part of ensuring traffic safety. Other discussion papers included issues relating to rules of the road, vehicle safety, licensing, and off-highway vehicles.

General Commercial Vehicle Equipment and Safety

Proper equipment for the operation of commercial vehicles is critical for the safety of everyone using highways. Commercial vehicles pick-up and deliver a variety of materials to our consumers, merchants, and industrial establishments. As a result, ensuring proper equipment for the safe operation of these vehicles is a primary concern.

There is a steady increase in the commercial traffic between Alberta, other provinces, the United States and Mexico. In view of this general trend, provincial jurisdictions in Canada and state jurisdictions in the United States are harmonizing internal regulations towards a North American standard. For instance these jurisdictions, in cooperation with the commercial vehicle industry, have developed a cargo securement standard. The Commercial Vehicle General Equipment and Safety Regulation is part of this legislative framework.

It is necessary to have planned maintenance, including inspections at specified intervals, to ensure the safe operation of commercial vehicles. In addition, documentation of planned and actual maintenance is necessary to determine effectiveness and to review equipment failures. Consequently, the proposed regulations suggest improvements to the present maintenance requirements.

Safe operation of school buses is also a critical issue. Improvements to the existing regulations are proposed in this discussion paper.

Issue 1.0

It has been proposed that commercial vehicles must remain unaltered after original manufacture to comply with Transport Canada's Canadian Motor Vehicle Safety Act and its regulations. It is also proposed that if a vehicle is altered in any way, that vehicle must be certified by a professional engineer or by a final stage manufacturer registered with Transport Canada.

Vehicles manufactured in Canada and those imported into Canada must meet Transport Canada's vehicle construction and safety legislation.

This issue primarily relates to homemade trailers, incomplete vehicles assembled by non-registered final stage manufacturers and vehicles modified by owners after delivery. It also relates to some of the highway tractors converted to straight trucks without front brakes. These highway tractors were originally manufactured without front brakes to be operated as tractor-trailer combinations. The issue of alteration may further relate to some stretch limousines and trucks with off-highway rims.

Do you agree that an owner, after purchasing a vehicle, must not modify that vehicle in order to remain in compliance?

❑ Agree ❑ Disagree ❑ No opinion

Comments:_____

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Issue 2.0
It has been proposed that all commercial trailer wheels must be equipped with brakes, in order to ensure optimum braking performance on commercial trailers.

Current legislation requires all new trailers sold in Alberta by a dealer to comply with Transport Canada's construction standards. As a result, the proposal relates to "home built" trailers, which may be equipped with brakes only on one axle.

All commercial trailer manufacturers in Alberta would be required to comply with this requirement after the proclamation of the Traffic Safety Act.

Do you support the proposal to have all commercial trailers equipped with brakes on all wheels?

❑ Agree ❑ Disagree ❑ No opinion

Comments:_____

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Issue 2.1
It has been proposed that all commercial trucks must be equipped with front brakes.

Transport Canada has always required straight trucks (self-contained units like gravel trucks) to have front brakes. In the mid-1980's, however, Transport Canada allowed tractor trucks to be manufactured without front brakes since trailers were fitted with brakes and there was enough braking capacity for stopping the tractor and trailer. Many such tractors are being converted and used as straight trucks.

Do you agree with the proposal that all straight trucks without front brakes must be fitted with front brakes?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 2.2

It has been proposed that commercial vehicles manufactured with automatic slack adjusters must remain equipped with automatic slack adjusters and not be replaced by manual adjusters.

Since May 31, 1996, Transport Canada requires automatic slack adjusters for vehicles equipped with air brake systems. Under normal operating conditions, this will maintain proper adjustment of the air brake systems.

Do you support the mandatory retention of automatic slack adjusters for vehicles originally equipped with them?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 2.3

It has been proposed that commercial vehicles manufactured with anti-lock brake systems (ABS) must have the system maintained for uninterrupted operation.

Since April 1, 2000, Transport Canada's vehicle construction and safety standards require vehicles to have antilock braking systems.

Do you agree with the proposal to require vehicle owners to maintain ABS in proper operational condition, if the vehicle was originally equipped with ABS?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

Issue 3.0
It has been proposed that all commercial vehicles must have a final compliance label and National Safety Mark (NSM).

Current legislation requires all new vehicles sold in Alberta to have final compliance labels and NSM. However, commercial vehicles built by a person for own use normally do not have such certification. Transport Canada cannot enforce their regulation unless these vehicles travel across provincial borders.

Do you agree with a mandatory compliance label and NSM mark for all commercial vehicles?

- ☐ Agree
- ☐ Disagree
- ☐ No opinion

Comments:_____

Issue 4.0
It is proposed that all motor carriers must be required to have an effective written maintenance and inspection program and they must be required to implement it. This is currently required of commercial trucking companies and motor coaches, but not commercial buses and school buses.

Do you agree with the proposal to define the requirements of a maintenance and inspection program for all motor carriers in the Commercial Vehicle General Equipment and Safety Regulation?

- ☐ Agree
- ☐ Disagree
- ☐ No opinion

Comments:_____

Issue 4.1
Although current legislation requires pre and post trip inspections of commercial vehicles by the driver, there is no regulatory requirement to document these inspections. NSC (National Safety Code) for commercial vehicles provides written criteria for inspections, requires inspections every 24 hours, and specifies retention of inspection documents for a 3-month period.

Do you agree with a mandatory requirement to document and retain trip inspections of commercial vehicles?

❑ Agree ❑ Disagree ❑ No opinion

Comments:_____

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Issue 5.0
It is proposed that commercial vehicles must carry advance warning triangles.

Current legislation allows commercial vehicles to use flags, flares or advance warning triangles. Flares can only be used for short periods and they need to be replaced after use. The majority of industry is now using triangles in view of their effectiveness.

Do you agree with the proposal to have commercial vehicles use advance warning triangles only?

❑ Agree ❑ Disagree ❑ No opinion

Comments:_____

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Issue 6.0
It is proposed that only school buses compliant with CSA D250 Standard be used for transporting children to and from school.

School buses sold in Alberta must meet the CSA D250 standard at the time of their manufacture and they must be maintained to that standard. The CSA D250 Standard is designed and updated to meet the specific requirements for the operation of school buses in Canada. Maintenance programs must ensure uninterrupted compliance with the standard.

Jurisdictions in the US do not permit the use of passenger vans to transport school children. Canadian jurisdictions are also considering similar restrictions. It is estimated that school buses are 16 times safer than regular passenger vehicles to carry school children.

Do you agree that children should be transported to and from school only on CSA D250 Standard compliant school buses?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 6.1
It is proposed that only school buses compliant with CSA D250 Standard be permitted to display school bus signs.

This is the only way to prohibit the display of school bus signs on non-compliant vehicles.

Do you agree that the display of school bus signs be allowed only on vehicles that comply with the CSA D250 standard for school buses?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 6.2
It is proposed that advertising not be permitted on school buses.

The colour and the design of school buses are specifically chosen to improve the visibility of a vehicle as a school bus. This increases the safety of school buses whether they are moving or stopped. Advertisements, however, are designed to attract attention to their design and content. This could have the effect of diverting the focus of drivers away from the school bus itself.

Do you agree with the prohibition of advertising on school buses?

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Issue 7.0

It is proposed that the axles of a commercial vehicle be temporarily lifted only when it is being towed due to equipment failure. Also, the following three conditions are proposed for towing a commercial vehicle with the axle lifted.

i. The axle be secured with a chain.
ii. The chain and attachments be of sufficient strength for securely holding the axle of the vehicle in tow.
iii. The entire axle be lifted so that all wheel sets attached to the axle are off the ground while the vehicle is in tow.

The proposal outlines a critical safety requirement to prevent slippage or collapse of lifted axles of vehicles in tow. The proposal also prevents the unsafe operation of a commercial vehicle with one set of wheels on the ground and the other side with a wheel failure lifted.

This proposal does not include custom-built lift axles.

Do you agree with the proposed conditions for lifting the axles of a commercial vehicle in tow.

☐ Agree ☐ Disagree ☐ No opinion

Comments:_____

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Please include any additional issues you think we may have missed, along with your suggestions for resolving them.

Issue:

Background:

Recommendation:

Issue:

Background:

Recommendation:

Follow-up Information

To help Alberta Infrastructure analyze responses to this document, we would appreciate the following information:

Are you responding on behalf of a business, industry group or municipal organization?

☐ Yes ☐ No

If yes, please give the name of the organization:

_____ Phone Number: _____

Fax Number: _____

If no, please give your name

_____ Phone Number: _____

Fax Number: _____

This information will be used only for the purpose of mailing discussion papers on the Traffic Safety Act regulations. By providing your mailing address you will be assured of receiving all future discussion papers

Thank you for providing your opinions and ideas on this discussion paper.

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